

REMARKS:

Status of claims and amendments

Claims 1-16 are pending in the application. In the Office Action dated November 28, 2006, the Examiner:

1. objected to the Information Disclosure Statements of December 31, 2003 and June 5, 2006 for not including concise explanations of relevance of each patent not in the English language;
2. rejected claims 6-13 under 35 U.S.C. 112, second paragraph, as being indefinite;
3. rejected claims 1, 14, and 15 under 35 U.S.C. 102(b) as being anticipated by Alber et al;
4. rejected claims 1, 6-9, and 11-13 under 35 U.S.C. 103(a) as being unpatentable over Chretien in view of Crack;
5. rejected claims 1-5 under 35 U.S.C. 103(a) as being unpatentable over Crack in view of Fujii;
6. rejected claims 1 and 16 under 35 U.S.C. 103(a) as being unpatentable over Crack in view of Okubo et al; and
7. objected to claim 10 as being dependent upon a rejected base claim, but containing allowable subject matter.

In this amendment, claim 1 has been amended to include the subject matter of original claims 2 and 6. Claims 2 and 6 have been canceled. Claims 3-5 and 7-11 have been amended to depend from amended claim 1 rather than canceled claims 2 and 6. No new matter is added.

Information Disclosure Statements

A supplemental Information Disclosure Statement is being filed herewith.

The §112, second paragraph, indefiniteness rejection of claims 6-13

The Examiner stated that "in claim 6, the limitation 'a second through hole' is not fully understood because the claim fails to define a first hole....Note, claim 2 defines a first through hole." Claim 1 has been amended to include the subject matter of both original claims 2 and 6. Claim 1, as amended, defines first and second through holes.

Original claim 2 (amended claim 1): Crack in view of Fujii

In the rejection of original claim 2, the Examiner stated that

Crack does not teach a particular linkage arrangement....Fujii teaches a control assembly...having a select control arrangement (20, 22, 24) formed with a plate (20 in Fig. 3)) with a pin (40), the pin having a shoe (36) for longitudinally moving a shift shaft (12).

However, Applicant respectfully asserts that the claim language of original claim 2, amended claim 1, is not met by Fujii. Fujii teaches a fixing member 36 pivotally fixed to an engaging body 26, which is in turn fixed to a select shaft 12 (column 3, lines 61-63; column 4, lines 15-17). Fujii's alleged shoe 36 is therefore not slidable along the alleged shaft 12.

Fujii does not disclose or suggest "a select shoe guide fixedly coupled to the control shaft and being provided with a select shoe guide channel within which the select shoe is slidably disposed" (amended claim 1, lines 31-32). Amended claim 1, as well as its dependents, claims 3-5 and 7-16, is thus patentable over Crack and Fujii.

Original claim 6 (amended claim 1): Chretien in view of Crack

In the rejection of original claim 6, the Examiner stated "Chretien does not clearly teach the cable arrangement....Crack teaches a control arrangement having a shift lever (1) connected to control assemblies (14, 15, 32, 33) via shift cables (9, 27)." This rejection is respectfully traversed; however, it is difficult for Applicant to provide specific comments in traversal as the Examiner has not addressed any of the claim limitations of original claim 6. Crack does not disclose or suggest

a ball member, an upper portion of which is fixedly connected to the other end of the connecting plate at a lower portion thereof;
a shift shoe into which a lower portion of the ball member is rotatably inserted; and
a shift shoe guide fixedly coupled to the control shaft and being provided with a shift shoe guide channel within which the shift shoe is slidably disposed" (Amended claim 1, lines 42-47).

Applicant respectfully asserts that Chretien, Crack, and Fujii, taken alone or in combination, fail to teach or suggest each limitation of amended claim 1. Claim 1, as well as its dependents, claims 3-5 and 7-16, is thus patentable over Chretien, Crack, and Fujii.

Conclusions

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance is respectfully requested.

Authorization is granted to charge any outstanding fees due at this time for the continued prosecution of this matter, or credit any overpayment, to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (matter no. 060944-0171).

Respectfully submitted,



Jessica C. Stahnke (Reg. No. 57,570)

for Thomas D. Kohler (Reg. No. 32,797)

MORGAN, LEWIS & BOCKIUS LLP

One Market, Spear Street Tower

San Francisco, CA 94105

415.442.1603

February 26, 2007

Date